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Ph.D Thesis

"Conflict between Human & Animal: The Case of Endangered Species"

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Conflict between Human & Animal in India: The Case of Endangered species

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Synopsis

Introduction

Conflict between humans and animals are major problem in many parts of India. The damage and destruction caused by a variety of animals to human property and sometimes to human life is a real and significant danger to many human communities. With the animals often killed, captured or otherwise harmed in retaliation, these conflicts are one of the main threats to the continued survival of many species. One of the main reasons for this conflict is increasing human population and the continued loss of natural habitats[1].

The research study involves the critical analysis of Wild Life Protection Act, 1972 to solve the problem of conflict between human and animal specifically Leopard. The reason to select the Leopard as the focus of study is that leopard & human conflict is common in the most part of India. In the last decade, leopard conflict had reached serious levels with 560 cases of leopard attack in Uttarakhand State (in the northern part of India) and 240 in Maharashtra State (India). In Himachal Pradesh (a State in Northern India) 133 incidents have been reported in last three years.[2]

Significance-

Researcher is from farmer family. He has witnessed the pain of the farmers when the conflict with leopard arises. Therefore he has selected the Karad city (Dist. Satara) the Case study purpose.

The result of this conflict is very serious. Many people lose their crops, livestock, property (loss of Property) & sometimes their lives (Loss of life). The animals, many of which are already threatened or endangered are often killed in retaliation or to 'prevent' future conflicts.[3] In such situation, it is necessary

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[1] http://assets.panda.org/downloads/factsheethumananimalconflict.pdf

(Accessed on 19 - April-2010)

[2] http://www.hindustantimes.com (Accessed on 26-April -2011)

[3] Supra note 1 (Accessed on 19 - April-2010)

to manage the conflict with speed & accuracy in order to prevent panic, injuries or death.

Background

Leopards occur all over India. They have always lived at the fringes of villages and human habitations, preying off domestic livestock and dogs. For instance the 1883 Nasik Gazetteer states the following "It is often found on the outskirts of villages, carrying away village dogs and prefers scrubby jungles to dense forests"[4]

Leopards are increasingly venturing into cities, towns and villages in India. With humans seizing every little bit of space left, it has become hard for the leopards to find shelter and food. The adaptable animals therefore seek easy prey in cattle or loiter around the city garbage to grab a bite. Most of them also know the tact to remain hidden, but occasionally the cover is blown. Stoned, pelted, tranquilized and killed, the wild cats are being targeted by humans for trying to survive in a human infested world.

What has been another cause for the increased Leopard deaths is poaching. In 2010, 54.87 % of the 328 leopard deaths across the country were reported due to poaching.[5]

Although there have been no exclusive surveys done to estimate the Leopard population of India, Government put their number at 12,014 in January, 2008. Most experts feel that this number may have changed for the worse in the last 2-3 years.[6]

Wildlife-human conflicts are a serious obstacle to wildlife conservation and the livelihoods of people worldwide and are becoming more prevalent as human population increases, development expands, and global climate changes and other

[4] Conflict past and present, http://www.projectwaghoba.in/conflicts.htm (Accessed on 18th July 2012)
[5] http://indiasendangered.com 'Leopards Victims of The Man-Animal Conflict' (Accessed on 10th March 2012)
[6] http://indiasendangered.com 'Leopards Victims of The Man-Animal Conflict' (Accessed on 10th March 2012)

human and environmental factors put people and wildlife in greater direct competition for a shrinking resource base.

Outline of thesis

1. To critically analyze the Protective Mechanisms with special reference to Sec 11 of the Wild Life Protection Act, 1972.
2. To explore the conflict between human & animal in the Wild Life Protection Act, 1972.
3. To study the protection available at International Level relating endangered species.
4. To assess the role of the local people towards wildlife.
5. To make a recommendations to reduce the conflict between leopard & human.

Methodology

The research study is based on doctrinal as well as non doctrinal method. Researcher has used Interview method for collecting data from forest officer & small group of population of effected villages. Researcher has used the questionnaire as a tool for Data collection. This is widely used in social research, and also in legal research. The research has collected information data by use of books, journals, websites, newspapers, reports, articles and / or other relevant sources of data.

The researcher has analyzed and evaluates the data so as to come up with an exhaustive research and suitable suggestions to be able to solve the complex issues.

The researcher has conducted a doctrinal research by use of document analysis and cases for present research.

The most significant advantage of the questionnaire method is that it allows respondents the freedom to express their ideas,

opinions, feelings, likes or dislikes and attitudes the way they choose[7].

Outline of Chapter - 1 Endangered species in India include large varieties of rare species of flora and fauna. Endangered species is defined as- when a population of an organism that is at the danger of becoming extinct on account of various reasons. This chapter the author explained the research problem, objective of research, methodology, and scope-limitation and literature review of the Ph.D thesis.

Outline of Chapter- 2 discusses the various causes of Human Animal Conflict, Overview of the human – animal conflict worldwide

Outline of Chapter - 3 This Chapter focuses on discussed the various terms concepts relating to species. The protection available to endangered species at National & international level & critically analyses the position in India in the light of international protection.

Outline of Chapter - 4 Wild Life trade is the biggest threat to wild life preservation. The rampant poaching in wild life and its products are primarily driven by demands in the international markets.[8]

One of the most powerful motives for the exploitation of plant and animal species is income production through trade, especially in poor countries lacking other major resources.

In recent times, people are more and more concerned with the environmental degradation. Some believe that free trade leads to depletion of natural resources and pollution of environment. Some identify poverty as the primary cause of environment

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[7] ANWARUL YAQIN, LEGAL RESEARCH AND WRITING METHODS, 111 (2008)

8 Bhat sairam, Overview of the legal regime relating to conservation of wildlife in India, CEERA, National Law School of India University, Bangalore, http://www.nlsenlaw.org/wildlife/articles/overview-of-the -legal-regime-relating-to-conservation-of-wildlife-in-India, (Accessed on 16-Dec-2009)

degradation and recognize the need for a new era of economic growth.[9]

Dead and living animals are traded for a number of purposes including food, clothing, ornaments, and exhibition in zoos, research, medicines and trophies. With significant profit margins to be made, the illegal trade in wildlife is flourishing, and even the so-called legal wildlife trade is rife with corruption, and blatant disregard for both international and national laws.[10]

This chapter discusses the problem of conflict between illegal animal trade & sustainable development in light of judicial trends & discusses the protection available at both national & international level. There are also obvious differences in attitudes to the issue between developed and developing countries & therefore the chapter mentions about the attitude of the people.

Outline of Chapter -5 discusses The case study of human - leopard conflict, impact of leopard on human being, impact of human being on leopard, analysis of data & role of different part of society to minimize the problem.

This chapter includes a case study of a leopard which strayed into the residential area of Karad city (District Satara, State Maharashtra) which is about 170 Km from Pune, on 10th Jan 2011 afternoon & attacked & injured six people, three of them seriously injured. The incident happened in the Shaniwar peth area which is close to chief minister Prithviraj Chavan's home in Patan colony.[11] Out of these injured people Researcher has taken the interview of 3 people to assess the attitude of people towards the wildlife & to study the conflict between human & animal.

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[9] Bhat Sairam, Overview of the Legal Regime Relating to Conservation of Wildlife in India, CEERA, National Law School of India University, Bangalore, www.nlsenlaw.org (Accessed on 30th July 2011)

[10] www.awionline.org/ht/d/sp (Accessed on 23rd July 2011)

[11] Raju Sanadi, *Leopard strays into Karad, injures six. Body*, The Times of India, Jan 10, 2011

The leopard was shot dead by Assistant Police Inspector (API) Vikas Dhas with his service revolver. According to the residents, the leopard must have strayed into the city on Saturday night[12] (9th Jan 2011) & hid in an unoccupied house in the Shaniwar peth area.[13]

The FIR has been filed against the API asking that why leopard was compelled to comes out from his natural habitat & who authorized office to kill big cat like this?

Outline of Chapter- 6 discusses the conclusion of all chapters & recommendations

In India different views of people regarding wildlife conservation & political instability results in wildlife conservation problems. This is one of the most reasons of the human-wildlife conflict. Though the solutions are very complex important mitigation measures can reduce conflict with help of local people and government mechanisms. Active maintenance of physical barriers (animal proof trench, electric fence), active guarding of crops with the help of local people and more importantly reducing habitat fragmentation and stopping of degradation of habitat quality can all help in reducing human wildlife conflict. Providing adequate and immediate compensation to affected families is also one of the measures to reduce the conflict.[14]

Development activities cause more interference in forest and also the privacy of wildlife and these ultimately cause conflict with wildlife. Man-animal conflict often takes place when wild animals cause damage to agricultural crop and property, killing of livestock and human beings. Human population growth, land use transformation, loss of habitat for species, eco-tourism, too much access to reserves, increase in livestock population bordering the forest, depletion of natural prey base etc., are

[12] www.awinonline.org/ht/d/sp (Accessed on 23rd July 2011)
[13] Supra 11
[14] http://conservationthreats.org/understandthreats/conflict (Accessed on 20-Oct-2012)

the often stated to be reasons for such conflict. Central Govt. the State Governments, and the Union Territories should evolve better preservation strategies, in consultation with Wildlife Boards so that such conflicts can be avoided to a large extent. Participation of people who are staying in the Community Reserves is also of extreme importance.

Environmental justice could be achieved only if we drift away from the principle like sustainable development, polluter pays principle, precautionary principles which are based in the interest of humans and environment. [15]

Ecocentrism is nature centered where humans are part of nature and non-human has intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. Ecocentrism is therefore life-centred, nature-centred where nature includes both human and non-humans[16].

Human Landscapes are changing rapidly to meet the demands of the world's increasing population. In Maharashtra "sugarcane Plantations" provides shelter and cover to leopard. In these areas large number of leopards attack people.

The researcher has proposed recommendations for conservation of leopard and its habitat, and for that purpose it requires the involvement of Government as well as community and strict control of trade related to wild Life in light of CITES.[17.] There should be self insurance by which the individual can claim compensation in case of injury & killing of their livestock.

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[15] http://www.greentribunal.in/orderinpdf/38-2011 (App)_7Sept2012_final_order.pdf (Accessed on 02-Oct-2012)
[16] http://www.greentribunal.in/orderinpdf/38-2011 (App)_7Sept2012_final_order.pdf (Accessed on 02-Oct-2012)

[17] CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention) works by subjecting international trade in specimens of listed species to certain controls. These require that all import, export, re-export and introduction from the sea of species covered by the Convention has to be authorized through a permitting system. www.environment.go.au (Accessed on 28th April 2011)